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Security Council

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Resolution 2445 (2018)

Adopted by the Security Council at its 8400th meeting, on 15 November 2018

The Security Council,

Recalling its previous resolutions and its presidential statements on the situation in Sudan and South Sudan, and in particular, resolutions 1990 (2011), 2024 (2011), 2032 (2011), 2046 (2012), 2047 (2012), 2075 (2012), 2104 (2013), 2126 (2013), 2156 (2014), 2179 (2014), 2205 (2015), 2230 (2015), 2251 (2015), 2287 (2016), 2318 (2016), 2352 (2017), 2386 (2017), 2411 (2018), 2412 (2018), 2416 (2018), and 2438 (2018) as well as presidential statements S/PRST/2012/19 and S/PRST/2013/14, and the Council's press statements of 18 June 2012, 21 September 2012, 28 September 2012, 6 May 2013, 14 June 2013, 14 February 2014, 17 March 2014, 11 December 2014, and 27 November 2015,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of Sudan and South Sudan, and to the purposes and the principles of the Charter of the United Nations, and recalling the importance of the principles of good neighbourliness, non-interference and regional cooperation,

Reiterating that the territorial boundaries of States shall not be altered by force, and that any territorial disputes shall be settled exclusively by peaceful means, *affirming* the priority it attaches to the full and urgent implementation of all outstanding issues from the Comprehensive Peace Agreement (CPA), and *underscoring* that the future status of Abyei shall be resolved by negotiations between the parties in a manner consistent with the CPA and not by the unilateral actions of either party,

Underscoring that continued cooperation between the Government of the Republic of the Sudan and Government of the Republic of South Sudan is critical for peace, security and stability and the future relations between them, *encouraging* progress on improving bilateral relations and holding regular meetings of the Joint Political and Security Mechanism (JPSM) and other joint mechanisms, and *calling on* both governments to implement their commitments in the 20 June 2011 Agreement between the Government of Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area, the 29 June 2011 Agreement between the Government of the Sudan and the Government of South Sudan on Border Security and the Joint Political and Security Mechanism (JPSM), the 30 July 2011 Agreement on the Border Monitoring Support Mission between the Government of Sudan and the Government of South Sudan, the

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27 September 2012 Agreements on Cooperation and Security Arrangements, and all subsequent decisions of the Joint Political and Security Mechanism (JPSM),

Commending the continued assistance provided to the parties by the African Union (AU), the AU High Level Implementation Panel (AUHIP), the Intergovernmental Authority on Development, the Federal Democratic Republic of Ethiopia, the Special Envoy of the Secretary-General for Sudan and South Sudan, whose responsibilities will be taken over by the Special Envoy of the Secretary-General for the Horn of Africa, and the United Nations Interim Security Force for Abyei (UNISFA),

Acknowledging that over the course of the seven years since establishment of UNISFA, the mission has been able to stabilize and demilitarize the Abyei Area and that UNISFA is now an interim security force with no viable exit strategy, and in this regard, *taking note* of the need to reconfigure the mission in order to create the space for a viable political process that would also serve as an exit strategy,

Noting that over the course of seven years the Government of Sudan and the Government of South Sudan have not made meaningful progress on the political process outlined in the 2011 and 2012 agreements listed above, including the failure to hold regular meetings of the Abyei Joint Oversight Committee and to establish the Abyei Area Administration, and the Abyei Police Service,

Emphasizing the change in threat in the Abyei Area as characterized by the 20 August 2018 Secretary-General's letter (S/2018/778), and *taking note* of the security situation in the Abyei Area as characterized by the 15 October 2018 Secretary-General's report (S/2018/923),

Commending the UN Police for activities to advise and mentor the local population in absence of the Abyei Police Service, *urging* both parties to establish the Abyei Police Service, *welcoming* UNISFA's enhanced role in fostering intercommunal dialogue, and *urging* all parties to continue these dialogues,

Commending the efforts of UNISFA in effectively carrying out its mandate, including by its ongoing facilitation of peaceful migration throughout the Abyei Area, conflict prevention, mediation and deterrence, and *strongly underscoring* the unacceptability of any attack on United Nations personnel, and *reiterating* that such attacks, which may constitute a war crime, should be swiftly and thoroughly investigated, and that those responsible should be held to account,

Recalling that the Security Council welcomed in resolution 2205 (2015) the decision of the Secretary-General to appoint a civilian head of mission,

Bearing in mind that people in the Abyei Area continue to rely on humanitarian assistance, that access for humanitarian organizations to reach people in need remains of crucial importance, and that humanitarian actors continue to provide assistance to 182,000 people in the Abyei Area,

Recalling resolution 2378 (2017) and its request of the Secretary-General to ensure that data related to the effectiveness of peacekeeping operations, including peacekeeping performance data, is used to improve analytics and the evaluation of mission operations, based on clear and well-identified benchmarks, and *further recalling* resolution 2436 (2018) and its request of the Secretary-General to ensure that decisions to recognize and incentivize outstanding performance and decisions regarding deployment, remediation, training, withholding of financial reimbursement, and repatriation of uniformed or dismissal of civilian personnel, are predicated on objective performance data,

Further recalling resolutions 1325 (2000) and subsequent resolutions on women, peace, and security and emphasizing that persistent barriers to full

implementation of these resolutions will only be dismantled through dedicated commitment to women's empowerment, participation, and human rights, and through concerted leadership, consistent information and action, and support, to build women's engagement in all levels of decision-making, also recalling resolution 2242 and its aspiration to increase the number of women in military and police contingents of United Nations peacekeeping operations,

Expressing concern about the residual threat of landmines and explosive remnants of war in the Abyei Area, which hinders the safe return of displaced persons to their homes, safe migration, and livelihood activities,

Recognizing that the current situation in Abyei and along the border between Sudan and South Sudan continues to constitute a threat to international peace and security,

1. *Decides* to extend until 15 May 2019 the mandate of UNISFA as set out in paragraph 2 of resolution 1990 (2011) and acting under Chapter VII of the Charter of the United Nations, *further decides* to extend until 15 May 2019 the tasks of UNISFA as set out in paragraph 3 of resolution 1990 (2011);

2. *Recalls* its decision in resolution 2412 (2018) to extend until 15 April 2019 UNISFA's mandate modification set forth in resolution 2024 (2011) and paragraph 1 of resolution 2075 (2012), *further recalls* its decision in resolution 2438 (2018) that such extension shall be the final extension of support to the Joint Border Verification and Monitoring Mechanism (JBVMM) unless both parties demonstrate measurable progress as outlined in paragraph 3 of resolution 2438 (2018), and *calls on* the parties to take those steps;

3. *Decides* to reduce the authorized troop ceiling to 4,140 until 15 May 2019, and *further decides* to reduce the troop ceiling by 295 troops following the commencement of the deployment of increased police personnel as set forth in paragraph 4, and *also decides* that as of 15 April 2019, the authorized troop ceiling shall decrease by a further 557 troops, unless it decides to extend the mandate modification set forth in resolution 2024 (2011) and paragraph 1 of resolution 2075 (2012), in accordance with paragraph 2 of resolution 2438 (2018);

4. *Decides* to increase the authorized police ceiling established in resolution 1990 (2011) to 345 police personnel, including 185 individual police officers and one formed police unit, *requests* the United Nations to take necessary steps to expeditiously deploy additional police in order to meet the new authorized police ceiling of 345, *demands* that the Governments of Sudan and South Sudan provide full support to UNISFA in the deployment of these personnel, including by promptly issuing visas, and *expresses* its intention to reduce the authorized police ceiling as the Abyei Police Service is gradually established and effectively providing rule of law throughout the Abyei area;

5. *Expresses* its intention to request the Secretary-General to appoint a civilian Deputy Head of Mission for UNISFA to support steps to implement the Agreement on Temporary Arrangements for the Administration and Security of Abyei Area and to achieve a political resolution to the status of Abyei, unless the Parties make progress towards a political solution;

6. *Expresses* its intention to continue revising as appropriate the configuration and mandate of UNISFA in light of recommendations from the Secretary-General, including recommendations contained in the 22 April 2018 and 20 August 2018 letters, and based on progress towards implementation of the Cooperation Agreements of 27 September 2012 and settlement of the final status of Abyei in a manner consistent with the CPA;

7. *Expresses* disappointment that the parties have taken few steps to implement the Agreement on Temporary Arrangements for the Administration and Security of Abyei Area and to achieve a political resolution to the status of Abyei, and *requests* the parties update the AUHIP and the Special Envoy of the Secretary-General for the Horn of Africa on the steps outlined below and invites the AUHIP and the Special Envoy of the Secretary-General to update it by 15 April 2019 on the steps taken towards the following:

1. Resolution of the final status of Abyei to include steps towards considering the 2012 proposal made by AUHIP, noting, in particular the AU Peace and Security Council (AUPSC) Communiqués of 24 October 2012, 26 October 2013 and 6 February 2018,

2. Implementation of all Abyei Joint Oversight Committee (AJOC) decisions, in accordance with the Agreement on Temporary Administrative and Security Arrangements for the Abyei Area of June 2011,

3. Steps the AU Commission has taken to submit to the AUPSC the findings and recommendations of the Abyei Area Joint Investigation and Inquiry Committee as requested by the AUPSC in its Communiqué of 31 July 2015, and steps taken to promote reconciliation and engagement of the Misseriya and Ngok Dinka communities;

8. *Urges* continued progress towards the establishment of the Abyei Area interim institutions, in accordance with the Agreement on Temporary Administrative and Security Arrangements for the Abyei Area of June 2011, *takes note*, in particular, that in the absence of an Abyei Police Service, UNISFA continues to be the only entity to provide policing services in response to matters of law and order, *further takes note* of the mapping exercise from 30 November 2017 to 2 February 2018 by UN Police in conjunction with UN Agencies, Funds and Programmes and traditional leaders of both communities for the eventual establishment of an Abyei Police Service, *recognizes* the appointment of relevant officials by the two governments to participate in a joint integrated planning exercise and development of a road map towards establishment of the Abyei Police Service, and *urges* the Governments of Sudan and South Sudan to participate in such an exercise by 15 April 2019;

9. *Encourages* the AUHIP and the Special Envoy of the Secretary-General to continue coordinating efforts to facilitate full implementation of the 2011 agreements, and *further encourages* UNISFA to coordinate with the AUHIP and the Special Envoy of the Secretary-General on reconciliation, community sensitization, and political peace processes;

10. *Welcomes* renewed efforts to determine conclusively the Safe Demilitarized Border Zone (SDBZ) centreline on the ground, and *reiterates* that the centreline of the SDBZ in no way prejudices the current or future legal status of the border, ongoing negotiations on the disputed and claimed areas, and demarcation of the borders;

11. *Underscores* that UNISFA's protection of civilians mandate as set out in paragraph 3 of resolution 1990 (2011) includes taking the necessary actions to protect civilians under imminent threat of physical violence, irrespective of the source of such violence, and in that regard *underlines* that peacekeepers are authorized to use all necessary means, which includes the use of force when required, in order to protect civilians under threat of physical violence, in accordance with mission mandates, the United Nations Charter and other applicable international law, and *stresses* the importance of continued and further engagement by senior mission leadership, with a view to ensuring that all mission components and all levels of the chain of command are properly informed of, trained for, and involved in the mission's protection of

civilians mandate and their relevant responsibilities; and *commending* UNISFA's efforts in that regard;

12. *Condemns* the intermittent presence of South Sudan security service personnel and the deployment of Diffra Oil Police units in the Abyei Area, in violation of the 20 June 2011 Agreement, as well as any entry of armed militias into the territory, and *reiterates* its demands that immediately and without preconditions the Government of South Sudan fully redeploy its security service personnel from the Abyei Area and that the Government of Sudan redeploy the Oil Police in Diffra from the Abyei Area, and *further reiterates*, in accordance with relevant resolutions, in particular resolution 1990 (2011) and resolution 2046 (2012), that the Abyei Area shall be demilitarized from any forces, as well as armed elements of the local communities, other than UNISFA and the Abyei Police Service;

13. *Urges* the two governments to take all necessary steps to ensure that Abyei is effectively demilitarized, including through disarmament programmes as necessary;

14. *Reaffirms* that UNISFA may undertake weapons confiscation and destruction in the Abyei Area as authorized under resolution 1990 (2011), consistent with its mandate and within its existing capabilities, in coordination with the signatories of the June 2011 Agreement on the Temporary Arrangements for the Administration and Security of the Abyei Area, the AJOC, and the Misseriya and Ngok Dinka communities and consistent with the previous AJOC decision to establish the Area as a "weapons free area";

15. *Requests* UNISFA to continue its dialogue with the AJOC and with the Misseriya and Ngok Dinka communities on effective strategies and oversight mechanisms for ensuring full compliance by all relevant parties with Abyei's status as a weapons-free area, and *calls upon* the Governments of Sudan and South Sudan, the AJOC, and the Misseriya and Ngok Dinka communities to extend full cooperation to UNISFA in this regard;

16. *Welcomes* UNISFA initiatives, to support community dialogue and efforts by the Misseriya and Ngok Dinka communities, such as peace committees, to strengthen intercommunal relationships and facilitate stability and reconciliation in the Abyei Area, and *invites* UNISFA to coordinate with the Juba-appointed administration in Abyei and the Misseriya administration in Muglad, using appropriate civilian expertise, to maintain stability, foster intercommunal reconciliation, and facilitate the return of displaced persons to their village and the delivery of services;

17. *Urges* the two Governments immediately to take steps to implement confidence-building measures among the respective communities in the Abyei Area, ensuring women are involved at all stages, including through reconciliation processes at the grass-roots level as well as through support for the ongoing efforts of non-governmental organizations engaging in peacebuilding, and by fully supporting UNISFA's efforts in promoting community dialogue;

18. *Underscores* that women's participation at all levels of intercommunity dialogue is critical to ensure a credible, and legitimate process and *calls upon* all parties to promote full and equal participation of women;

19. *Welcomes* UNISFA's continued efforts, within existing capabilities and resources, and in close coordination with the Misseriya and Ngok Dinka communities, to strengthen the capacities of Community Protection Committees in order to assist with management of law and order processes in Abyei, while ensuring the humane and dignified treatment of suspects and other detainees, and to continue engaging with both governments on this issue;

20. *Welcomes* the 14 November 2017 meeting of traditional leaders of Ngok Dinka and Misseriya communities, *calls upon* all parties to cooperate fully with the findings and recommendations following the Abyei Area Joint Investigation and Inquiry Committee's investigation into the killing of a UNISFA peacekeeper and the Ngok Dinka Paramount Chief, following the release of findings by the AU Commission, *welcomes* the 24 March 2015 AUPSC press statement requesting the AU Commission to engage the parties on the findings and recommendations, and looks forward to the release of the African Union Commission's report on the killing of the Ngok Dinka chief, as agreed to by the traditional leaders, and for the report to be used as a basis for reconciliation between the communities, bearing in mind the need to promote stability and reconciliation in the Abyei Area;

21. *Calls upon* all Member States, in particular Sudan and South Sudan, to ensure the free, unhindered and expeditious movement, to and from Abyei and throughout the SDBZ, of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles, aircraft, and spare parts, which are for the exclusive and official use of UNISFA;

22. *Renews* its call upon the Governments of Sudan and South Sudan to provide full support to the United Nations, including by promptly issuing visas to military, police and civilian United Nations personnel, including humanitarian personnel, without prejudice to their nationality, for entry into Sudan and South Sudan, facilitating basing arrangements, infrastructure construction, including the Athony airport, in the Mission Area and flight clearances, and providing logistical support, *calls upon* the Governments of Sudan and South Sudan to facilitate travel from within Sudan and South Sudan to and from Abyei, and *further calls upon* all parties to fully adhere to their obligations under the Status of Forces Agreements;

23. *Recognizes* that the absence of development projects and the inability to deliver basic government services has had an adverse effect on Abyei populations, *calls upon* the Government of Sudan and the Government of South Sudan, as well as donors to support road maintenance, general reconstruction, and capacity-building, and *welcomes* the call in the Secretary-General's letter (S/2018/778) for development projects that focus on reconciliation;

24. *Demands* that the Government of Sudan and the Government of South Sudan continue to facilitate the deployment of the United Nations Mine Action Service (UNMAS) to ensure freedom of movement, as well as the identification and clearance of mines in the Abyei Area and SDBZ;

25. *Further demands* that all parties involved allow all humanitarian personnel full, safe and unhindered access to civilians in need of assistance and all necessary facilities for their operations, in accordance with international law, including applicable international humanitarian law, and United Nations guiding principles of humanitarian assistance;

26. *Strongly urges* that all parties cease all forms of violence, human rights violations and abuses, violations of international humanitarian law, and, in particular violations and abuses of applicable international law committed against women and children;

27. *Requests* the Secretary-General to ensure that effective human rights monitoring is carried out, including of any sexual and gender-based violence and violations and abuses of human rights, including those committed against women and children, and *reiterates* its call upon the Government of Sudan and the Government of South Sudan to extend their full cooperation to the Secretary-General to this end, including by issuing visas to the concerned United Nations personnel;

28. *Requests* the Secretary-General to seek to increase the number of women in UNISFA, as well as to ensure the meaningful participation of women in all aspects of operations;

29. *Welcomes* UNISFA's progress identifying a Women and Child Protection Advisor and *calls* on the Governments of Sudan and South Sudan to promptly issue a visa for the advisor and facilitate travel within Sudan and South Sudan to and from Abyei and throughout the SDBZ;

30. *Welcomes* the initiatives undertaken by the Secretary-General to standardize a culture of performance in UN peacekeeping, and *reaffirms* its support for the development of a comprehensive and integrated performance policy framework that identifies clear standards of performance for evaluating all United Nations civilian and uniformed personnel working in and supporting peacekeeping operations that facilitates effective and full implementation of mandates, and includes comprehensive and objective methodologies based on clear and well-defined benchmarks to ensure accountability for underperformance and incentives and recognition for outstanding performance, and *calls* on him to apply it to UNISFA;

31. *Recalls* its Presidential Statement S/PRST/2015/22 and its resolution 2272 (2016) and *requests* the Secretary-General to take all necessary measures to ensure full compliance of UNISFA with the United Nations zero tolerance policy on sexual exploitation and abuse and to ensure that all personnel of the mission are vetted for history of sexual misconduct in the service with the United Nations and to keep it informed through his reports about UNISFA's progress in this regard, and *urges* troop- and police-contributing countries to take appropriate preventative action including predeployment awareness training, and to promote full accountability in cases of such conduct involving their personnel;

32. *Notes* the Secretary-General's efforts to ensure close cooperation among United Nations missions in the region, including UNISFA, the United Nations Mission in the Republic of South Sudan (UNMISS), and the African Union-United Nations Hybrid Operation in Darfur (UNAMID), as well as his Special Envoy for Sudan and South Sudan, and requests that he continue this practice including with the Special Envoy for the Secretary-General for the Horn of Africa;

Reporting

33. *Requests* the Secretary-General to continue to inform it of progress in implementing UNISFA's mandate, in one written report, no later than 15 April 2019 and include reporting on:

- the progress in reduction of troops and increase in police per paragraphs 3 and 4,
- the potential for an augmented civilian component in UNISFA to support the political process per paragraph 5,
- the movement of weapons into Abyei and the presence, destruction and confiscation of weapons within Abyei per paragraph 14,
- the steps that have been taken in line with paragraphs 28 and 30,
- results of human rights monitoring as requested in paragraph 27, including information, analysis, and data on violations and abuses of human rights,
- steps which the parties have taken per paragraphs 7 and 8,
- recommendations on revisions to UNISFA's configuration and mandate, based on consultation with all relevant stakeholders in order to create the space for a viable political process that would serve as an exit strategy,

- a summary of actions taken to improve mission performance and address performance challenges including lapses in leadership, national caveats that negatively affect mandate implementation effectiveness, and demanding operational environments;

34. *Requests* the Secretary-General to inform it of progress in implementing UNISFA's mandate, in a note, no later than 31 January 2019 and report on the progress in reduction of troops and increase in police per paragraphs 3 and 4;

35. *Decides* to remain actively seized of this matter.